



## **1. Member Protection Policy - Introduction**

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The Auckland Rowing Club (“the Club”) consists of four School Programmes (Sacred Heart College, Epsom Girls Grammar School, Auckland Diocesan School and Howick College). Kings College also operates from the Club Premises. In addition, it runs club rowing programmes which may include rowers of any age.

Whilst the School Programmes may have their own member protection policies, this policy is designed as an overarching policy to ensure that all Members and Participants are governed by a set of policies which ensures the wellbeing and safety of all Members, including children, and including the prevention of child abuse, maltreatment or self-harm. This policy provides guidance about how to identify and respond to concerns about the wellbeing of a Member, including possible abuse, neglect or self-harm.

- 1.1 The process for responding to a concern about a Member is attached as Appendix B.
- 1.2 The interests of the Member will be the paramount consideration when any action is taken in response to suspected abuse or neglect. The Club commits to support the statutory agencies, Oranga Tamariki and the New Zealand Police (the Police) to investigate child abuse and will report suspected cases and concerns to these agencies as per the process in this policy.
- 1.3 The Member Protection Officer will be responsible for carrying out the responsibilities outlined in this policy.
- 1.4 This policy was authored by the Executive Committee on 13 October 2020. The Health & Safety Officer is responsible for the maintenance and three yearly review of this policy. A digital copy can be found on our website at [www.theaucklandrowingclub.org.nz](http://www.theaucklandrowingclub.org.nz). It is consistent with Oranga Tamariki and Police guidelines and will be updated when new guidance is issued.

## **2. Purpose, Scope and Principles**

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- 2.1 Our Member Protection Policy supports our Members to respond appropriately to potential member protection concerns, including suspected child abuse, neglect or self-harm. It is the Club’s commitment to protect Members from abuse and to recognise the important roles all our Participants have in protecting Members.
- 2.2 This policy provides a framework and expectations to protect Members, including (but not limited to) Participant behaviours in response to actual or suspected Member abuse, neglect and self-harm. It applies to all Participants.
- 2.3 In addition to guiding Participants to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., Ministry of Vulnerable Children (Oranga Tamariki) and the



Police – this policy will also help our Participants identify and respond to the needs of the many vulnerable Members whose wellbeing is of concern.

### 3. Definition of Child Abuse

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3.1 The Oranga Tamariki Act 1989 defines child abuse as ‘...the harming (whether physically, emotionally, sexually) ill-treatment, abuse, neglect or deprivation of any child or young person”.

- (a) **Physical abuse** is any act that may result in physical harm. It can be but is not limited to: bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.
- (b) **Emotional abuse** is the persistent emotional ill-treatment of a Member such as to cause severe and persistent adverse effect on the Member’s emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill-treatment of others.
- (c) **Sexual abuse** involves forcing or enticing a child to take part in sexual activities as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours. It includes forcing any Member of whatever age to engage in a non-consensual sexual act.
- (d) **Neglect** is the persistent failure to meet a child’s basic physical and/or psychological needs, causing long term serious harm to the child’s health or development. It may also include neglect of a child’s basic or emotional needs.

3.2 The Club recognises that Members who are not children can also be subjected to physical, emotional, and sexual abuse and this policy is designed to protect Members against such abuse.

### 4. Definition of discrimination

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4.1 Discrimination is defined by the Human Rights Act and any act or behaviour which breaches the Human Rights Act will amount to discrimination under this policy. In summary, discrimination is the unfair treatment of a person based upon one of the prohibited grounds of discrimination. It can either be direct or indirect. Indirect discrimination is a conduct, practice, requirement or condition which does not appear to be discriminatory but which has the indirect effect of treating a person or group of persons less favourably on one of the prohibited grounds.

4.2 The prohibited grounds of discrimination are:



- (a) Gender or sex (including pregnancy and childbirth)
- (b) Race
- (c) Ethnicity
- (d) Marital status
- (e) Religious belief
- (f) Ethical belief
- (g) Disability
- (h) Age
- (i) Political belief
- (j) Employment status
- (k) Family status
- (l) Sexual orientation.

4.3 In some situations (which are set out in the Human Rights Act) discrimination may be justifiable.

## 5. Definition of harassment

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5.1 The Club defines harassment as unwanted conduct which is usually linked to the way a person is e.g. race, ethnicity, sex, disability, opinions etc. There is normally a physical component to the harassment e.g. touch, intrusion into personal space, damage to possessions etc and the victim is normally aware of the harassment as soon as it takes place.

5.2 Sexual harassment can also include making a request for a person to have sexual intercourse, or some other form of sexual contact or sexual activity with them where it contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment.

5.3 The following are examples of harassment:

- (a) Unwanted touching
- (b) Intrusion into personal space
- (c) Assault (in all its forms)



- (d) Stalking
- (e) Discriminatory or abusive language directed as a person's sex/gender, ethnicity etc
- (f) Derogatory name calling
- (g) Ridicule
- (h) Gossip or innuendo
- (i) Discriminatory or abusive jokes
- (j) Display of discriminatory material
- (k) Damage to personal property.

5.4 This list is not exhaustive.

5.5 A person engaging in harassment may do so to obtain superiority over another or may lack self-discipline or have specific inadequacies themselves.

## **6. Definition of bullying**

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6.1 The Club defines bullying as a situation where one or several individuals perceive themselves to be on the receiving end of negative actions from one or more persons persistently over a period of time, in a situation where those persons may have difficulty defending themselves against these actions. Such negative actions can be subtle and often the victim of bullying does not realise they are being bullied immediately but only after prolonged exposure to such negative acts.

6.2 Examples of negative acts, which if repeated over a prolonged period, may amount to bullying include:

- (a) Being undermined in front of others
- (b) Having false concerns raised over athletic performance
- (c) Be excluded from meetings or other social activities
- (d) Being treated differently to others for no justifiable reason
- (e) Being subjected to disparaging remarks
- (f) Being humiliated in front of others
- (g) Being taunted where the intention is to embarrass or humiliate
- (h) Being blamed unfairly



6.3 This list is not exhaustive.

6.4 We do not refer to a onetime incident as bullying.

## **7. Policy**

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7.1 The Club has a zero-tolerance policy in relation to:

- (a) Child Abuse
- (b) Discrimination
- (c) Harassment
- (d) Bullying

7.2 Incidents of child abuse, discrimination, harassment and bullying shall be a breach of the Club's Code of Conduct.

7.3 This policy also covers situations of member self-harm. All incidents of self-harm or attempted self-harm should be treated seriously with the goal of providing protection for all members.

## **8. Roles and Responsibilities of Participants**

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8.1 It is the responsibility of all Participants to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse, discrimination, harassment, bullying or self-harm and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

## **9. Vetting**

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9.1 All persons who coach on behalf of the Club or persons who interact with children as part of their club activities shall be police vetted.

9.2 All club officials who have access to members personal information shall be police vetted.

9.3 School Programmes shall be responsible for vetting their own coaches.

## **10. Member Protection Procedures**

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10.1 All concerns of potential, suspected, or alleged breach of this policy must be brought to the attention of the Member Protection Officer.

10.2 If a Member makes a verbal disclosure to a Participant, it is important that the Participant takes what the Member says seriously.



- 10.3 Participants are to listen carefully to what the Member is saying and are not to interview them or ask too many questions, ask the very basics i.e. Who/when?
- 10.4 If the concern relates to child abuse, no further questions are to be asked. What the Member has said is to be documented, this should include time, date and who was present. Where applicable, this information will be passed onto authorities as soon as possible.
- 10.5 If the concern relates to discrimination, harassment, or bullying, then the concern should be passed to the Member Protection Officer who shall report the concern to the Executive Committee for investigation under the Code of Conduct.
- 10.6 If the concern relates to self-harm then the concern should be passed to the Member Protection Officer. If you believe the member is in immediate danger then contact the police (111).
- 10.7 Where the Member belongs to a School Programme, the Child Protection Officer for the School Programme or the relevant School should be immediately informed.
- 10.8 Where abuse involves a child, advise Oranga Tamariki or Police promptly when a disclosure is made.
- 10.9 Deciding when and who will inform the parent(s) and/or caregiver will be determined by Oranga Tamariki and the Police in consultation with the Member Protection Officer or School.

## **11. Confidentiality and Information Sharing**

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- 11.1 In cases of child abuse and where applicable, the Club will seek advice from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone. Participants should be aware that:
  - (a) Under sections 15 and 16 of the Oranga Tamariki Act 1989 any person who believes that a child has been or is likely to be, harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police and provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.
  - (b) When collecting personal information about individuals, it is important to be aware of the requirements of the privacy principles – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their



information.

- 11.2 Participants may, however, disclose information under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety (see privacy principle 11/Code rule 11). Disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Oranga Tamariki under sections 15 and 16 of the Oranga Tamariki Act 1989.

## **12. Child Safe Practice Guidelines**

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- 12.1 If any form of physical contact is required ask the person's permission, explain what you are doing and why to both the Member and, where applicable, to their parents/caregivers.
- 12.2 Where possible ask parents/caregivers to be responsible for children or young people in changing rooms. Always ensure that whoever supervises does so in pairs.
- 12.3 Where there are mixed teams away overnight, teams should always be accompanied by an adult male and female coach or helper.
- 12.4 If it's necessary to do things of a personal nature for a child, make sure you have another adult accompanying you. Get the consent of the parent/caregiver and if possible, the child. Let them know what you are doing and why.
- 12.5 Avoid situations where you are alone with a child. While acknowledging that occasionally there may be no alternative, for example, where a child falls ill and must be taken home. However, one-to-one contact must never be allowed to occur on a regular basis.
- 12.6 Don't allow physically rough or sexually provocative games, or inappropriate talking or touching.
- 12.7 Ensure that any claims of abuse by a child are taken seriously and that the guide to report suspected or actual abuse included in this policy as an appendix is followed.
- 12.8 Ensure that the nature and intensity of training and competition does not exceed the capacity of a child's immature growing body and ability.
- 12.9 Ensure that use of photographic images and video are for appropriate purposes.
- 12.10 That all people responsible for children and young people at any given time should always remain in an alcohol-free state that they can react appropriately to any situation that might arise.

## **13. Allegations made against Participants**

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- 13.1 Allegations, suspicions, or complaints of breaches of this policy against Members must be



taken seriously and reported to the Member Protection Officer who will deal with them immediately, sensitively and expediently within the procedures outlined in this Section.

- 13.2 Where an allegation is made in relation to a Member who is not a child, then the Club shall investigate the allegation in accordance with its Code of Conduct and disputes policy.
- 13.3 It is not the responsibility of any Member or Participant to investigate a breach of this policy.
- 13.4 If the Police decide to undertake a criminal investigation then the Participant who is the subject of the allegation may be suspended from the Club, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.

## 14. Documentation

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- 14.1 All incidents covered by this policy shall be documented in the clubs Incident Management System. This will be managed by the Member Protection Officer and the Health & Safety Officer.

**Ratified by Hamish Boyd, Chair**

*Hamish Boyd*

<b>Policy developed by: Club Captain, Michael Smyth</b>
<b>Modified by: Health &amp; Safety Officer, Steven Fox</b>
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## 15. APPENDIX A: Definitions

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**Child** – any child or young person aged under 18 years. **Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or are at risk of





abuse or neglect.

**Disclosure** – information given to a Participant by a child, parent or caregiver or a third party in relation to abuse or neglect.

**Member** means any member of Auckland Rowing Club and includes rowers who participate as part of a School Programme and includes members of Kings College Rowing Club.

**Member Protection Officer** means the appointed Member Protection Officer, or where teams are attending a regatta or an event away from the Club premises, the Club Captain (or his/her Deputies in his/her absence).

**Oranga Tamariki** – the agency responsible for investigating and responding to suspected child abuse and neglect and for providing care and protection to children found to be in need.

**New Zealand Police** – the agency responsible for responding to situations where a person is in immediate danger and for working with Oranga Tamariki in child protection work and investigating cases of abuse or neglect where an offence may have occurred.

**Participant** means any person who participates in the sport of rowing at Auckland Rowing Club or who uses the Club premises, and includes without limitation, all Members, club coaches, school coaches, parents, supporters, paid staff, contractors, and officers of the Club.

## 16. APPENDIX B: Steps for reporting suspected or actual breach of this policy

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### 1. BREACH IS EITHER SUSPECTED OR DISCLOSED

- Ensure the Member is safe from immediate harm.

### 2. LISTEN

- **Listen carefully** to what the Member is saying **DO NOT** interview the Member or ask too many questions, ask the very basics i.e. Who/when?
- Once you have ascertained the basics **DO NOT** question them further. Document what the Member has said, include time, date and who was present so you can pass this information to an Officer of the Club or authorities as soon as possible.
- Report your concern to the Member Protection Officer.

### 3. HOW TO REPORT YOUR CONCERN

- If you ever think a person is in immediate danger, call the Police (**111**).
- Where the allegation involves child abuse advise **Oranga Tamariki** on 0508 FAMILY (0505 326 459) or **Police** promptly when a disclosure is made.

### 4. REPORTS OF CHILD ABUSE

- The Police have a dedicated team of investigators who focus on Child Protection.
- Deciding when and who will inform the parent(s) and/or caregiver will be determined by Oranga Tamariki and Police in consultation with the Member Protection Officer. Report early so there is time to consider what's best for the child.
- Police and Oranga Tamariki will arrange interviews of the children.
- **DO NOT** conduct an investigation of your own before making a report of concern.